

B O I E S , S C H I L L E R & F L E X N E R L L P

575 LEXINGTON AVENUE • 7th FLOOR • NEW YORK, NY 10022 • PH. 212-446-2300 • FAX 212-446-2350

MATTHEW L. SCHWARTZ
Tel.: (212) 303-3646
E-mail: mlschwartz@bsfllp.com

February 2, 2017

BY ECF

Hon. Ronnie Abrams
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Jason Galanis, et al.*, S1 16 Cr. 371 (RA)

Dear Judge Abrams:

We represent the defendant Devon Archer. As we indicated would be the case, yesterday Mr. Archer noticed an appeal from the Court's January 31, 2017 bench ruling. A copy of the notice of appeal is attached.

Today, we received a call from the Clerk's Office stating that the Court cannot process an appeal from a minute order or transcript, and advised us to seek a written order from Your Honor. Accordingly, attached please find a proposed order denying Mr. Archer's original motion, which we respectfully request that the Court enter so that Mr. Archer may perfect his appeal. Of course, Mr. Archer does not consent to the denial of his motion or otherwise waive any of the arguments made in his motion or at the January 31, 2017 hearing; we ask for this order only to satisfy the Court's procedural requirements. Further, the proposed order has nothing to do with the pending motion for a stay pending appeal, which remains outstanding.

Thank you for your consideration of this request.

Respectfully,

/s/ Matthew L. Schwartz
Matthew L. Schwartz

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

v.

JASON GALANIS, GARY HIRST, JOHN
GALANIS, a/k/a “Yanni,” HUGH DUNKERLEY,
MICHELLE MORTON, DEVON ARCHER, and
BEVAN COONEY,

Defendants

S1 16 Cr. 371 (RA)

ORDER

For the reasons stated on the record at the conference held on January 31, 2017, the motions of defendants Devon Archer and Bevan Cooney, [ECF Nos. 126, 128], as modified at the conference, is hereby DENIED.

Dated: February __, 2017

HON. RONNIE ABRAMS
UNITED STATES DISTRICT JUDGE